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THE CIA IN TRANSITION

New Era of Mistrust Marks Congress' Role

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Ten years ago today, 72 senators voted to assert a stronger role for Congress in overseeing the vast U.S. intelligence apparatus in the wake of painful disclosures, scandals and abuses at the Central Intelligence Agency and the collection of secretive federal agencies known as the U.S. intelligence "community."

The hope was to end an era of suspicion, to narrow the number of congressional committees that had jurisdiction over the intelligence budget, to cut down on leaks of classified information and to set up a strong, permanent monitoring body to restore integrity and confidence in America's intelligence-gathering capabilities.

But after a decade, a new era of mistrust has dawned.

The Reagan administration is virtually at war with the two committees that were established to oversee the U.S. intelligence arm. Each side has accused the other of endangering the nation's most sensitive intelligence systems and jeopardizing covert operations in the Third World through unauthorized leaks to the news media.

Sen. David F. Durenberger (R-Minn.), chairman of the Select Committee on Intelligence, said in an interview for this article that "a lot of those people [in the administration] don't want oversight." He charged that the administration has "screwed up" its covert attempt to change the Marxist government in Nicaragua and that every one of the CIA's covert paramilitary operations "is a problem."

In addition, Durenberger asserted that special interest groups and "right-wing senators" have been driving the administration's secret diplomacy in Afghanistan and Angola; that Secretary of State George P. Shultz has allowed himself to be intimidated by these groups while CIA Director William J. Casey has shown a hypersensitivity to criticism. Durenberger said his own well-publicized marital troubles have been spotlighted by conservative Reagan supporters as a means of attacking his credibility as Senate oversight chairman.

The feud has grown so acrimonious that administration officials are suggesting it could soon endanger the future of the oversight process. Already, some top officials are charging that oversight is out of control. A few have suggested privately that the House and Senate intelligence panels be abolished and their responsibilities consolidated in one tightly controlled joint committee.

President Reagan, in a classified letter to Durenberger, warned a few months ago that the oversight process was seriously "at risk" and blamed Congress for a hemorrhage of national security data to the news media.

The Senate oversight leadership in turn has charged that the Reagan administration has systematically disclosed highly classified intelligence information to influence public debate and to bully Congress into supporting its overseas adventures.

At the core of the dispute are the far deeper divisions between Congress and the White House over what has emerged as a key feature of the administration's foreign policy—the so-called Reagan Doctrine, which by nature is carried out behind a cloak of secrecy provided by the CIA.

The doctrine has never been defined by Reagan personally and its outline has been most extensively shaped by the conservative cadres that seek to frame the Reagan foreign policy agenda. But if Reagan has not embraced its name, he has embraced its cause: the support of Third World anticommunist guerrilla forces—"freedom fighters"—in their quest to roll back Soviet influence and dismantle Marxist regimes.

In the past five years under the Reagan Doctrine, the United States has fielded and supplied more paramilitary forces against Soviet surrogates in the Third World than at any time since the Vietnam war. CIA paramilitary experts run guns, train guerrillas, outfit them with communications equipment and provide them with battlefield intelligence. As the fighting has steadily escalated in Afghanistan, Cambodia, Nicaragua and now Angola, questions in Congress have grown steadily louder.

The president is now seeking $100 million in new aid for counterrevolutionary, or contra, guerrillas in Nicaragua. The CIA is involved in operations to destabilize Libyan leader Muammar Qaddafi and in low-level support to antigovernment paramilitary forces in Ethiopia, according to intelligence sources.

The administration's attack on oversight, according to congressional leaders, must be weighed against the phenomenal budgetary support the congressional oversight committees have marshalled for the intelligence community. The intelligence budget of about $10 billion in 1979 has more than doubled to $24 billion this year and is projected to triple by 1990. This support has allowed the Carter and Reagan administrations to rapidly build up the most sophisticated, high-technology intelligence apparatus in the world.

Still, the frustrations are deep and bitter in this "partnership," largely because the intelligence buildup has restored a formidable and lethal capability in the CIA's directorate of operations to mount covert paramilitary operations over which Congress has little control. It was inevitable, according to some senators, that once the CIA had this capability, it would find new "opportunities" to justify using its most controversial instrument.

The president is required to send only a secret notification to the intelligence oversight committees that such operations are under way.

Congressional leaders have complained that there is no opportunity to debate these sensitive and dangerous adventures, though they may involve significant commitments of U.S. prestige and military resources and may involve equally significant risks whose consequences are borne by all Americans.

As House intelligence oversight Chairman Lee H. Hamilton (D-Ind.) lamented recently, the CIA's covert operations in support of President Reagan's "freedom fighters" are among the most important foreign policy issues before Congress—"and I can't talk about them!"

A decade ago, when intelligence oversight began in earnest, CIA covert operations were largely in disrepute. CIA paramilitary experts were disparaged as the "knuckle draggers" of the agency and there was a consensus to pump massive resources into high-technology spy systems.

Former senator Birch Bayh (D-Ind.), who chaired the Senate committee during the Carter administration, said in an interview that the oversight process was founded on a healthy mistrust between the executive and legislative branches.

"The reservations about oversight in the Carter administration were based on a sincere concern about security: Can 17 U.S. senators keep a secret? We found out they could. The present reservation," Bayh continued, "is a sort of arrogant attitude that it's just none of your damned business, as if the Senate were a foreign body."

It is not clear where the seeds of the new mistrust were sown. It may have been in the jungles of Nicaragua, where a rogue commander of CIA-backed forces got out of control; or in the Nicaraguan port of Corinto, where CIA contract agents mined the harbor without clear congressional notification; or in Beirut, where a team dispatched by CIA-backed Lebanese security forces killed—without CIA authorization—75 people with a car bomb.

But the effect of the frequent eruptions over the management and oversight of CIA covert operations has grown to the point where Reagan and his national security affairs advisers are hinting at the need to dismantle the decade-old oversight system that took shape in Senate Resolution 400.

That resolution passed 72 to 22 on May 19, 1976, reducing the number of Senate committees with jurisdiction over the intelligence community from four to one, with 15 regular members. Ford administration officials and conservatives in Congress hoped that by limiting oversight to two committees, the risk of leaks of classified information from Congress would be sharply reduced.

A year later, the House merged the oversight function of four committees into a single panel of 17 members.

Recriminations between the oversight panels and successive administrations have characterized the relationship from the beginning. During the debates over the Panama Canal treaties and the SALT II strategic arms negotiations with the Soviet Union, Bayh said, a series of disclosures of highly classified information infuriated the intelligence community.

Bayh said it appeared to him at the time that rival groups in the Pentagon, State Department and White House were behind most of these disclosures, although a group of Senate aides, who referred to themselves as the "Madison Group," were reputed to have waged a disclosure campaign to block the SALT II treaty.

Interviews with congressional leaders in both parties suggest that the current attack on the oversight process cannot be explained simply by the recurring recriminations over national security leaks.

Instead, many of these leaders said they believe the attacks stem from the frustration of Reagan's senior advisers, who have been unsuccessful in winning broad support for their rapidly expanding program of covert paramilitary operations around the world.

Reagan, Shultz and Casey all complain that the Republican-controlled Senate intelligence committee has not supported Reagan's secret diplomacy.

"It is my considered judgment," said Sen. Patrick J. Leahy (D-Vt.), vice chairman of the oversight committee, "that the new reliance on covert military action as a normal instrument of foreign policy—even as a substitute for foreign policy—has strained the current oversight process to the breaking point."

Speaking to former intelligence officers recently, Leahy said the Reagan Doctrine of covert action in the Third World poses a basic question:

"Can a democracy like the United States engage in large-scale, so-called 'covert paramilitary operations,' using our intelligence agencies as instruments in waging proxy wars against the Soviet Union or its clients?"

Leahy and other congressional leaders said they believe the Reagan administration is orchestrating a campaign to dismantle congressional oversight or at least to severely limit the authority of the House and Senate panels.

Durenberger agrees and said he thinks the real issue is the administration's controversial secret diplomacy: "Nicaragua, we screwed up," he said, adding, "Every one of these [covert paramilitary involvements] is a problem."

"There is no question," he said, "that the administration is having a hell of a time driving the policy in Angola or in Afghanistan." In Angola, he asserted, policy is "being driven by little meetings of right-wing senators with the secretary of state. [They are] telling him what he's supposed to do and if he doesn't, they are going to bring [Angolan rebel leader] Jonas Savimbi over here in order to conduct a crusade."

The senator was referring to private discussions in early March between Shultz and a group of conservative senators led by Majority Leader Robert J. Dole (R-Kan.). The group insisted that Shultz and Casey send sophisticated U.S. Stinger antiaircraft missiles to Savimbi. Within a week of these discussions, Reagan gave secret authorization to send them.

In Afghanistan, "Nobody likes the way [Rep.] Charlie Wilson [D-Tex.] was running policy," Durenberger said, referring to Wilson's leading role—as an influential House member who does not sit on the intelligence panel—in advocating budget increases to fund opposition to Soviet invasion forces.

Durenberger said he feels that his loyal opposition to Reagan administration policy has drawn for him a series of calculated personal attacks—from Casey and particularly from the right wing of the Republican Party.

For example, last November, after Durenberger had criticized some aspects of Casey's direction of the agency, Casey fired off a public letter accusing Durenberger of "the repeated compromise of sensitive intelligence sources and methods" and of conducting oversight in an "off-the-cuff" manner.

"It is time to acknowledge that the process has gone seriously awry," Casey concluded.

Durenberger refers to that dispute as the "Casey-(expletive)-on-Durenberger days," and attributes Casey's outburst to his sensitivity to criticism. "Bill Casey can't control his temper very long. He's Irish by nature and all that sort of thing."

The chairman said he has since tried to repair the damaged relationship, but still believes the administration, and particularly its supporters in the right wing, are out to discredit him. After criticizing the CIA's latest Angolan campaign, Durenberger was blasted as a "rogue chairman" in right-wing columns.

"This is the way you operate," the senator said. "You take Durenberger's personal life to the cleaners in The Washington Times as a way to reverse Angola policy. It's endemic in this administration to do a certain amount of that."

Still, Durenberger's style of running the committee and his well-publicized marital problems have prompted concern among his colleagues that the committee's credibility has suffered and left the oversight process more vulnerable to administration attacks.

One committee insider said the first priority of Sens. William S. Cohen (R-Maine) and David L. Boren (D-Okla.), who are scheduled to take over the committee next January, will be reestablishing the prestige of the panel within the Senate. "The consensus view is that Durenberger has seriously eroded the committee's credibility," the source said.

Durenberger detects the outline of an administration plan to gut the oversight process from recent comments by administration loyalists such as Rep. Henry J. Hyde (R-Ill.), a member of the House Permanent Select Committee on Intelligence.

"Henry Hyde doesn't want oversight," Durenberger said. "Henry Hyde wants a situation in which a few buddies in the community are informed and that takes care of Congress and the public."

"They want to destroy the two committees," Durenberger said. The administration, he said, would prefer a joint House-Senate committee with members firmly under the control of a chairman faithful to the White House and sympathetic to the CIA.

Congressional oversight in the past year has pointed up serious flaws in the CIA's management of U.S. intelligence capabilities and the handling of defectors. Republican and Democratic senators have pounced on the case of KGB Col. Vitaly Yurchenko, who decided to return to the Soviet Union after three months of intense debriefing by a CIA team.

The agency has been forced to admit that it bungled the Yurchenko affair and made a public *mea culpa* during the confirmation hearing of CIA Deputy Director Robert M. Gates last month.

The Senate panel is conducting a major personnel study this summer and the imposition of committee staffers poring through intelligence agency personnel files is likely to add to the oversight friction.

Most of the warfare between the CIA and its oversight committees, however, is limited to a small portion of overall intelligence activities.

Leahy, a vocal opponent to covert warfare against Nicaragua, said recently that he and Sen. Barry Goldwater (R-Ariz.) agreed 99 percent of the time on intelligence matters. Goldwater was the crusty conservative who chaired the committee for four years and once said intelligence oversight was none of the Senate's business.

But many members agree that the large issues of budgetary support, strategic planning for intelligence systems of the future and the improvement of basic intelligence gathering have broad bipartisan support on the committees.

"I've been there almost seven years," Leahy said, "and in all that time I've never seen any senator, Republican or Democrat, who was not interested in having the best intelligence services in the world."

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